

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v-

AT&T INC., et al.,

Defendants.

21 Civ. 1951 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:


The Court has received a motion from defendants to (1) strike plaintiff SEC’s Rule 56.1 Statement, Dkt. 92; (2) not require defendants to respond to any paragraphs not mentioned in the SEC’s summary judgment briefing; or (3) allow defendants to “respond topically, rather than paragraph by paragraph” to the SEC’s 56.1 statement. Dkt. 119.

This motion is denied. The factual record of this case is large and complex. It is unsurprising that the SEC’s Rule 56.1 statement would be lengthy. To the considerable extent that this statement recapitulates facts to which the parties stipulated in their joint statement of undisputed facts (“JSF”), there is no need for defendants to respond save to note the parties’ stipulation.¹ For avoidance of doubt, the defendants’ deadline to respond to the SEC’s 56.1 statement of May 20, 2022 stands. *See* Dkt. 77 (deadline to file any opposition to summary

¹ The SEC notes that many of the facts and exhibits that are not based on the JSF were contained in the SEC’s proposed JSF of April 7, 2022. Dkt. 120 at 2. It should not have come as a surprise to the defense that the SEC intended to include the non-stipulated facts in its Rule 56.1 statement.

judgment); Local Civil Rule 56.1(b) (parties opposing summary judgment shall respond to each numbered paragraph).

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: May 10, 2022
New York, New York